

Senate Joint Resolution 15 - Introduced

SENATE JOINT RESOLUTION 15
BY SORENSON

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the use of eminent domain.
3 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of
2 the State of Iowa is proposed:

3 Section 18 of Article I of the Constitution of the State of
4 Iowa, as amended by the Amendment of 1908, is repealed and the
5 following adopted in lieu thereof:

6 **Eminent domain.** SEC. 18. Private property shall not be
7 taken for a public use, for a public purpose, or for a public
8 improvement. The acquisition of private property for a public
9 use, for a public purpose, or for a public improvement shall
10 only occur upon consent of the property owner. The state
11 or a political subdivision of the state shall not assist the
12 government of the United States in any action to take private
13 property for a public use, for a public purpose, or for a
14 public improvement without the consent of the property owner.

15 Sec. 2. PUBLICATION AND REFERRAL TO NEXT GENERAL
16 ASSEMBLY. The foregoing proposed amendment to the Constitution
17 of the State of Iowa is referred to the general assembly to be
18 chosen at the next general election for members of the general
19 assembly, and the secretary of state is directed to cause the
20 proposed amendment to be published for three consecutive months
21 previous to the date of that election as provided by law.

22 EXPLANATION

23 This joint resolution proposes an amendment to the
24 Constitution of the State of Iowa by providing that private
25 property shall not be taken for a public use, for a public
26 purpose, or for a public improvement. The resolution also
27 provides that the acquisition of private property for a public
28 use, for a public purpose, or for a public improvement shall
29 only occur upon consent of the property owner. The resolution
30 prohibits the state or a political subdivision from assisting
31 the government of the United States in any action to take
32 private property for such purposes without the consent of the
33 property owner.

34 The resolution, if adopted, would be published and then
35 referred to the next general assembly (85th) for adoption,

1 before being submitted to the electorate for ratification.